

THE ORD FIRM, P.C.  
James K. Ord, III (USB 14007)  
PO Box 16266  
Salt Lake City, UT 84116  
Telephone: (435) 214-1433  
Email: james@UtahADALaw.com  
Attorney for Plaintiff

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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Samuel Burningham,

Plaintiff,

v.

Eat Again 416,

Defendant.

Case No.: 2:17-cv-00429-DN

**STIPULATION FOR DISMISSAL WITH  
PREJUDICE**

Assigned to Honorable David Nuffer

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PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff, Samuel Burningham and Defendant, Eat Again 416, hereby stipulate that the above-entitled Action be dismissed with prejudice, with each side to bear its own fees and costs.

**RESPECTFULLY** submitted on this 27<sup>th</sup> day of April 2018.

/s/ James K. Ord, III  
JAMES K. ORD, III, ESQ.  
P.O. Box 16266  
Salt Lake City, UT 84116  
Telephone: (435) 214-1433  
Email: james@utahADAlaw.com  
Attorney for Plaintiff

/s/ Justin L. James (with permission)  
Justin L. James  
HATCH JAMES & DODGE PC  
10 W BROADWAY STE 400  
SALT LAKE CITY, UT 84101  
(801) 363-6363  
Email: jjames@hjdllaw.com  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of April 2018, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic filing to be served upon all e-filing counsel of record as follows:

Justin L. James  
HATCH JAMES & DODGE PC  
10 W BROADWAY STE 400  
SALT LAKE CITY, UT 84101  
(801) 363-6363  
Email: jjames@hjdllaw.com  
*Attorney for Defendant*

/s/ Lisa Stamper\*

(\* I certify that I have the signed original of this document which is available for inspection during normal business hours by the Court or a party to this action)